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Attorney for Judgment Creditor Crystal Lei

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DEMAS YAN,

Appellant,

vs.

CRYSTAL LEI et al.,

Appellees.

) Case No.: 11-CV-1814-RS (JSC)

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)
) **DECLARATION OF BRIAN S. HEALY**
) **IN SUPPORT OF JUDGMENT**
) **CREDITOR CRYSTAL LEI'S NOTICE**
) **OF MOTION AND MOTION FOR**
) **FURTHER CIVIL CONTEMPT AND**
) **SANCTIONS ON JUDGMENT DEBTOR**
) **DEMAS YAN**

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)
) Judge: Hon. Jacqueline Scott Corley
) Hearing Date: April 4, 2019
) Time: 9:00 A.M.
) Place: Court Rm. F, 15 Floor
) 450 Golden Gate Ave. S.F.

1 I, Brian S. Healy, declare:

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3 1. I am an attorney duly licensed to practice law by the State of California and am authorized to
4 practice law throughout the State of California. I am familiar with the matter stated in this
5 declaration from my own personal knowledge, were I called to testify, I would be competent to
6 and would do so.

7 2. I have been a practicing attorney in the State of California since 1983. I received my J.D.
8 from the University of San Francisco's School of Law. I am a partner at the Tierney Watson &
9 Healy law firm in San Francisco.

10 3. I am the attorney for judgment creditor, Crystal Lei ("Lei").

11 4. Attached hereto as **Exhibit A** is a true and correct copy of the July 22, 2018 email received
12 by Lei with a 6-page attachment that purport to be summary sheets of tax returns belonging
13 Demas Yan ("Yan") for years 2014, 2015, and 2016 with no accompanying schedules,
14 attachments or amendments. A normal tax return filing and copy will contain attachments and
15 schedules. A full copy of the tax return should also include amendments. Yan's tax return
16 summary sheets are heavily redacted and show alterations that are uncharacteristic of tax returns
17 filed with the IRS or copies obtained from the IRS.

18 5. Attached hereto as **Exhibit B** is a true and correct copy of the letter signed by Lei and sent to
19 Yan and his associate on July 26, 2018 noting the deficiencies in Yan's submission of his
20 purported tax returns and requested Yan to provide true, genuine copies of his tax returns filed
21 with the IRS.

22 6. Attached hereto as **Exhibit C** is a true and correct copy of the Jury Verdict filed April 14,
23 2014 in the San Francisco Superior Court determining Yan had fraudulently transferred over \$1
24 million worth of property to family members to avoid paying judgment to creditor, Charles Li.

25 7. Attached hereto as **Exhibit D** is a true and correct copy without exhibits attached of the
Declaration of Duy Thai filed on November 19, 2018 in San Francisco Superior Court

1 8. Attached hereto as **Exhibit E** is a true and correct copy a deed from Hong Kong Land
2 Registry indicating the sale of a condominium owned by judgment debtor, Demas Yan to a third
3 party for over HK\$2.8 million.

4 9. Attached hereto as **Exhibit F** is a true and correct copy of relevant portions of the certified
5 transcript of the June 27, 2017 Order of Examination.

6 10. Attached hereto as **Exhibit G** is a true and correct copy of Form 2 Cash Receipts and
7 Disbursements Record filed with the United States Bankruptcy Court on August 2, 2012 in case
8 no. 04-33526 listing inter alia disbursement of \$175,039.69 to Demas Wai Yan on November 8,
9 2011.

10 11. Attached hereto as **Exhibit H** is a true and correct copy of the news release by the State Bar
11 of California summarizing the Order recommending Yan's disbarment which was affirmed by
12 the Supreme Court in March of 2018.

13
14 I declare under penalty of perjury under the laws of the State of California that the above
15 is true and correct and that this declaration is executed at San Francisco, California, this 26th day
16 of February, 2019.

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20 Brian S. Healy
21 Attorney for Crystal Lei
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